

Opening Statement of the Honorable Ed Whitfield
Subcommittee on Energy and Power
Hearing on the American Energy Initiative
May 9, 2012
(As Prepared for Delivery)

This is the 19th day of our American Energy Initiative hearing, and today we will focus on two very important pieces of bipartisan energy legislation:

- the “Resolving Environmental and Grid Reliability Conflicts Act of 2012,” and
- the “Hydropower Regulatory Efficiency Act of 2012.”

The “Resolving Environmental and Grid Reliability Conflicts Act” is a bipartisan bill brought forward by our colleagues, Mr. Olson, Mr. Doyle, and Mr. Green.

The legislation amends the Federal Power Act to clarify that when an electric utility complies with a DOE order to generate electricity in order to prevent a reliability emergency, the generator will not be considered in violation of conflicting environmental laws.

It is no secret that EPA’s new power sector rules are going to force a significant portion of our coal-fired generation fleet to retire and these retirements will have negative impacts on the reliability of our electric grid.

These reliability-related impacts may force DOE to use its authority in order to avoid potential reliability emergencies.

It is essential that we amend the Federal Power Act so that generators aren’t forced to choose between compliance with an emergency order and compliance with EPA regulations. Otherwise utilities are unacceptably forced between a rock and hard place of Federal authority.

The other bill under consideration today is hydropower legislation developed by Representatives Cathy McMorris-Rodgers and Diana DeGette. This legislation is yet another impressive example of legislation developed in a bipartisan manner.

One of the primary impediments to greater utilization of hydropower resources is the regulatory red tape, which has proven costly, time-consuming and burdensome, even for small hydropower projects.

The bipartisan legislation developed by our colleagues helps to alleviate the inefficiencies of the regulatory process so that companies can reduce the amount of time and money wasted on navigating unnecessary administrative obstacles and instead focus their efforts on constructing hydropower projects that will provide affordable and reliable electricity and create thousands of new jobs.

Both bills make very good policy and should be noncontroversial. I thank the witnesses for being here today, and I want to commend my friends and colleagues – on both sides of the aisle – for their efforts to develop these important pieces of bipartisan legislation.

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